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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 LESLIE WYN BOWDEN,

12 Plaintiff,

13 v.

14 CHRISTINE O. GREGOIRE, *et al*,

15 Defendants.
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Case No. C08-5516FDB-KLS

ORDER TO SHOW CAUSE

19 This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28
20 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the Court on plaintiff's filing of an
21 application to proceed *in forma pauperis* and a civil rights complaint under 42 U.S.C. § 1983. To file a
22 complaint and initiate legal proceedings plaintiff must pay a filing fee of \$350.00 or file a proper
23 application to proceed *in forma pauperis*.

24 On August 19, 2008, plaintiff filed a number of documents with this Court consisting of the
25 following: a "notice of preparation of legal notice and declaration" and "emergency motion for federal
26 intervention and protection," along with various attached exhibits (Dkt. #1); a "revised notice of
27 preparation" of his emergency motion (Dkt. #2); and a "notice to the United States Marshals Service, and
28 to the Court" (Dkt. #3). These documents present allegations that he is being hindered from practicing his

1 religion by the actions of various prison officials, that he is being threatened with a transfer to another
2 prison facility against his wishes, and that he is being denied adequate legal materials with which to
3 pursue this action. On August 18, 2008, plaintiff filed a letter addressed to the United States Marshals
4 and the Court addressing similar concerns. (Dkt. #4).

5 On August 26, 2008, the Clerk sent plaintiff a letter informing him that he must either pay the
6 \$350.00 Court filing fee or submit a proper application to proceed *in forma pauperis* by September 25,
7 2008, or this matter could be subject to dismissal. (Dkt. #5). The Clerk also informed plaintiff that he
8 needed to provide a copy of his prison trust account statement showing transactions for the past six
9 months, and that he must complete and return the written consent for payment of costs required by Local
10 Rule CR 3(b). In addition, the Clerk stated in the letter that he had provided an insufficient number of
11 copies of his complaint for service.

12 None of the above documents plaintiff filed, however, constitute a proper complaint. See Federal
13 Rule of Civil Procedure 8(a) (pleading that states claim for relief must contain short and plain statement
14 of grounds for court's jurisdiction, short and plain statement of claim showing pleader is entitled to relief,
15 and demand for relief sought). Rather, they are all noted as notices or motions, even though plaintiff has
16 not properly initiated this action by paying the required filing fee or filing a proper application to proceed
17 *in forma pauperis* and by filing a proper complaint. This includes as well the third "emergency motion
18 for federal intervention and protection" and attached exhibits he filed on August 27, 2008. (Dkt. #6).

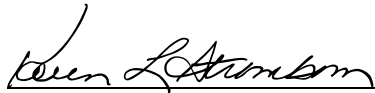
19 As such, the Court will not consider any of the documents plaintiff has filed in this matter to date,
20 and will be returned to plaintiff as they appear to contain a number of original documents. Rather, by **no**
21 **later than October 8, 2008**, plaintiff, as directed by the Clerk in his August 26, 2008 letter, shall either
22 (1) pay the \$350.00 Court filing fee, or (2) submit (i) a properly completed application to proceed *in*
23 *forma pauperis*, (ii) a copy of his prison trust account showing the balance and activity of his account for
24 the past six months as required by 28 U.S.C. § 1915(a)(2), (iii) the written acknowledgment and
25 authorization form, authorizing the agency having custody over him to collect from his prison trust
26 account an initial partial filing fee and subsequent monthly payments until the full filing fee is paid as
27 required by 28 U.S.C. § 1915(b), and (iv) the written consent for payment of costs required by Local Rule
28 CR 3(b). In addition, plaintiff shall file a complaint in accordance with Fed. R. Civ. P. 8(a) on the Court-

1 approved form used for filing civil rights complaints.

2 **Plaintiff is warned that failure to cure these deficiencies by the above date shall be deemed a**
3 **failure to properly prosecute this matter and the Court will recommend dismissal of this matter.**

4 The Clerk is directed to send a copy of this Order to plaintiff, along with the appropriate Court-approved
5 complaint form, *in forma pauperis* application form, and acknowledgment and authorization form. The
6 Clerk already has sent plaintiff a copy of the written consent form. The Clerk also is directed to return to
7 plaintiff all of documents he has filed in this matter to date.

8 DATED this 8th day of September, 2008.

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11 Karen L. Strombom
12 United States Magistrate Judge
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